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HUMAN RIGHTS QUESTIONS: COMPREHENSIVE IMPLEMENTATION OF AND FOLLOW-UP TO THE VIENNA DECLARATION AND PROGRAMME OF ACTION

Report of the Third Committee (Part IV)

Rapporteur: Mrs. Monica MARTINEZ (Ecuador)

I. INTRODUCTION

1. At its 4th plenary meeting, on 19 September 1997, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-second session the item entitled "Human rights questions: comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action" and to allocate it to the Third Committee.

2. For the documents before the Committee under this item, see document A/52/644.

3. The Committee considered the item jointly with sub-items 112 (b), (c) and (e) at its 33rd to 43rd and 45th meetings, on 12 to 14, 17 to 19 and 21 November, and took action on the item at its 46th meeting, on 24 November 1997. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/52/SR.33-43, 45 and 46).

4. At the 36th meeting, on 14 November 1997, the United Nations High Commissioner for Human Rights made an introductory statement (see A/C.3/52/SR.36).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.3/52/L.64

5. At the 45th meeting, on 21 November, the representative of Austria, on behalf of Argentina, Armenia, Austria, Belarus, Bosnia and Herzegovina, Brazil,

Bulgaria, Chile, Costa Rica, Cote d'Ivoire, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Ecuador, Georgia, Greece, Guatemala, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malta, Mauritius, Monaco, Mongolia, Morocco, Namibia, New Zealand, Nicaragua, Norway, the Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, the Solomon Islands, Thailand, Turkey, Turkmenistan, Ukraine and Venezuela, introduced a draft resolution entitled "Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action" (A/C.3/52/L.64). Subsequently, the Bahamas, Belgium, Bolivia, Croatia, El Salvador, Finland, Malaysia, Pakistan, Panama, Poland, the Republic of Korea, Samoa, South Africa, Spain and Sweden joined in sponsoring the draft resolution.

6. At the same meeting, the representative of Austria orally revised the draft resolution by replacing, in operative paragraph 8, the words "in particular" by the word "including".

7. At the 46th meeting, on 24 November, the representative of Austria further orally revised the draft resolution as follows:

(a) The following words were added at the end of the sixth preambular paragraph:

> "in which the World Conference on Human Rights, inter alia, requested the Secretary-General to invite, on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights, all States and all organs and agencies of the United Nations system related to human rights to report to him on the progress made in the implementation of the Vienna Declaration and Programme of Action";

(b) In operative paragraph 10, the words "the High Commissioner has requested Governments and United Nations agencies and programmes" was changed to read "the High Commissioner has invited Governments and United Nations agencies and programmes related to human rights";

8. At the same meeting, Andorra, Australia, Azerbaijan, Bangladesh, Canada, Ethiopia, France, Germany, Guinea, Guinea Bissau, India, Kenya, the Marshall Islands, Portugal, the Russian Federation, Suriname and the former Yugoslav Republic of Macedonia joined in sponsoring the draft resolution.

9. Also at the same meeting, the Committee adopted draft resolution A/C.3/52/L.64, as orally revised, without a vote (see para. 11).

B. Draft decision

10. At its 50th meeting, on 26 November, on the proposal of the Chairman, the Committee decided to recommend to the General Assembly that agenda item 112 (d) be kept open in order to allow the Working Group of the Third Committee to continue its work (see para. 12).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

11. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action

The General Assembly,

Recalling its resolution 48/121 of 20 December 1993, in which it endorsed the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, as well as its subsequent resolutions on this matter,

Considering that the promotion of universal respect for and observance of all human rights and fundamental freedoms for all is one of the basic purposes of the Charter of the United Nations and one of the main priorities of the Organization,

Convinced that the Vienna Declaration and Programme of Action has to be translated into effective action by States, the competent United Nations organs and organizations and other organizations concerned, including non-governmental organizations,

Recalling the request of the Conference to the Secretary-General and the General Assembly to take immediate steps to increase substantially the resources for the human rights programme from within the existing and future regular budgets of the United Nations,

Recalling that in its resolution 48/141 of 20 December 1993 the General Assembly decided to create the post of United Nations High Commissioner for Human Rights as the United Nations official with principal responsibility for United Nations human rights activities, including coordination of the human rights promotion and protection activities throughout the United Nations system,

Recalling part II, paragraph 100, of the Vienna Declaration and Programme of Action concerning the five-year review of progress made in the implementation of the Vienna Declaration and Programme of Action, to be carried out in 1998, in which the World Conference on Human Rights, inter alia, requested the Secretary-General to invite, on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights, all States and all organs and agencies of the United Nations system related to human rights to report to him on the progress made in the implementation of the Vienna Declaration and Programme of Action,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated,

Recognizing that the interdependence of democracy, development and respect for human rights, as stated in the Vienna Declaration and Programme of Action, requires a comprehensive and integrated approach to the promotion and protection

of human rights and that adequate inter-agency cooperation and coordination are essential in order to ensure such a fully integrated approach throughout the United Nations system,

Welcoming the fact that the call of the World Conference on Human Rights for a United Nations system-wide approach to human rights issues has been reflected in the recommendations of major international conferences organized by the United Nations in the economic, social and related fields, and noting the ongoing efforts to ensure a coordinated follow-up to major international conferences in the economic, social and related fields,

Recalling that each year the Economic and Social Council shall carry out, within the framework of its coordination segment, a review of cross-cutting themes common to major international conferences and/or contribute to an overall review of the implementation of the programme of action of a United Nations conference, in accordance with agreed conclusions 1995/1 of the Economic and Social Council,[1]

Recalling its resolution 51/118 of 12 December 1996, Commission on Human Rights resolutions 1997/69 of 16 April 1997[2] and 1996/78 of 23 April 1996,[3] as well as Economic and Social Council decision 1996/283 of 24 July 1996 concerning the recommendation to devote the coordination segment of the Economic and Social Council at its substantive session of 1998 to the question of the coordinated follow-up to and implementation of the Vienna Declaration and Programme of Action,

Taking note of the note by the Secretary-General on possible common themes for the follow-up of major international conferences during the coordination segment of the substantive session of 1998 of the Economic and Social Council,[4]

Having considered the report of the United Nations High Commissioner for Human Rights, in particular chapter VII, entitled "1998 - Human Rights Year",

1. Reaffirms the importance of the promotion of universal respect for and observance and protection of all human rights and fundamental freedoms in accordance with the Charter of the United Nations, as expressed in the Vienna Declaration and Programme of Action;

2. Also reaffirms the views of the World Conference on Human Rights on the urgency of eliminating denials and violations of human rights;

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[1] See Official Records of the General Assembly, Fiftieth Session, Supplement No. 3 (A/50/3/Rev.1), chap. III, para. 22.

[2] Official Records of the Economic and Social Council, 1997, Supplement No. 3 (E/1997/23), chap. II, sect. A.

[3] Ibid., 1996, Supplement No. 3 (E/1996/23), chap. II, sect. A.

[4] E/1997/91.

3. Recognizes that the international community should devise ways and means to remove current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world;

4. Calls upon all States to take further action with a view to the full realization of all human rights for all in the light of the recommendations of the Conference;

5. Urges all States to continue to give widespread publicity to the Vienna Declaration and Programme of Action, in particular in the context of the public information and human rights education activities for the fiftieth anniversary of the Universal Declaration of Human Rights, including through training programmes, human rights education and public information, in order to promote increased awareness of all human rights and fundamental freedoms;

6. Requests the United Nations High Commissioner for Human Rights, the General Assembly, the Commission on Human Rights and other organs and bodies of the United Nations system related to human rights to take further action with a view to the full implementation of all the recommendations of the Conference;

7. Takes note of the report of the Chairman of the Working Group of the Third Committee mandated to consider aspects of the implementation of the recommendations of the Vienna Declaration and Programme of Action, as set out in paragraphs 17 and 18 of part II of the Vienna Declaration and Programme of Action, and underlines the need for its full implementation;

8. Emphasizes the important role of the United Nations High Commissioner for Human Rights in the system of the United Nations human rights organs, as defined in its resolution 48/141, including her role in the process of analysis of the functioning of the United Nations human rights machinery and its adaptation to current and future needs;

9. Invites the Administrative Committee on Coordination to continue to discuss the implications of the Vienna Declaration and Programme of Action for the United Nations system, with the participation of the High Commissioner, in particular in the context of the preparations for the 1998 five-year review;

10. Welcomes the fact that, in accordance with part II, paragraph 100 of the Vienna Declaration and Programme of Action, the High Commissioner has invited Governments and United Nations agencies and programmes related to human rights to provide reports on the progress made in the implementation of the recommendations adopted by the World Conference, and has invited regional and, as appropriate, national human rights institutions, as well as non-governmental organizations, to present their views in this regard;

11. Calls upon all States to contribute actively to the 1998 five-year review;

12. Welcomes the inter-agency consultations of the High Commissioner with all United Nations programmes and agencies whose activities deal with human

rights for the preparations of the 1998 five-year review, and calls upon them to contribute actively to this process;

13. Encourages regional and national human rights institutions as well as non-governmental organizations to present, on this occasion, their views on the progress made in the implementation of the Vienna Declaration and Programme of Action;

14. Welcomes and supports once again Economic and Social Council decision 1996/283, in which the Council endorsed the recommendation of the Commission on Human Rights to consider devoting the coordination segment of its substantive session of 1998 to the question of the coordinated follow-up to and implementation of the Vienna Declaration and Programme of Action as part of the 1998 five-year review foreseen in part II, paragraph 100, of the Vienna Declaration and Programme of Action;

15. Requests the High Commissioner to present an interim report to the Commission on Human Rights at its fifty-fourth session and a final report to the General Assembly at its fifty-third session on the progress made in the implementation of the Vienna Declaration and Programme of Action, as foreseen in part II, paragraph 100, of the Vienna Declaration and Programme of Action, taking into account reports provided by states and United Nations organs and agencies related to human rights and views presented by regional and, as appropriate, national human rights institutions, as well as non-governmental organizations;

16. Decides to review at its fifty-third session, as foreseen in part II, paragraph 100, of the Vienna Declaration and Programme of Action, the progress made in the implementation of the Vienna Declaration and Programme of Action, under the sub-item entitled "Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action".

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12. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

Working Group of the Third Committee

The General Assembly decides that agenda item 112 (d), entitled "Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action", be kept open in order to allow the Working Group of the Third Committee to continue its work.